

HOW THE JURY STOOD.

A Well Known Lawrence Citizen Presents Mr. Tillotson's Charge Against Manley. LAWRENCE, Kans., July 19, 1894.

To the Editor of the State Journal: Sir:—My attention was called to a somewhat sensational article in your paper of July 17th, headed "Topeka Loves It." In this article Mr. Tillotson states that Mr. M. G. Manley influenced the jury to change their opinion in the second trial of the Topeka sewer case last February. Now Mr. Editor, the jury was not composed of men who would change their opinion upon the statement of any man after hearing the testimony.

The plain facts are as follows: After considerable deliberation, at least eight of the jurors of the twelve wanted to give a verdict in favor of plaintiff varying from \$50,000 to \$100,000, but in order to obtain a verdict all must agree. Three men on this jury were in favor of a very small verdict in favor of plaintiff, and a compromise was made for \$32,000, provided certain special questions could be left unanswered.

When this was agreed to and read in court, at the request of counsel in both sides, and especially Mr. Tillotson's the jury was sent back to go over the case again the next morning. Upon the request of myself and others, we were called into court and instructed by the judge that if by answering those special questions, we should arrive at a different verdict, it was our duty to do so. At least eight of us, whose names I take the liberty of inserting, Mr. Monk, Mr. Walters, Mr. Harris, Mr. Fenton, Mr. Woodward, Mr. Sullivan, Mr. Walker and myself, would have never agreed to a verdict for less than \$70,000, in fact we tried very hard to make the other three see the matter in the same light, but this being impossible, we were dismissed without agreeing upon a verdict.

I will state without fear of contradiction, that had the jury been composed of the same men except Mr. Manley, and if in his stead a man had been on the jury with the same views as the small minority, a verdict would have never been reached unless the minority had agreed with the majority to a verdict of over \$70,000.

I will say for myself and the whole jury, that Mr. Tillotson's assertions are considered by us as very unjust and entirely unfounded. Mr. Manley's action during our long and tedious session was always very gentlemanly, and in no way did he try to influence the jury in any undue way. Yours truly, THOS. POSHLER.

NORTH TOPEKA.

Items of Interest from the North Side of the River.

Mrs. Adeline Perkins of Cleveland, O., is visiting her sister Mrs. A. V. Heyden, and expects to remain here all summer.

Mrs. J. E. Van Laey's children went to St. Mary's last night to spend two weeks with her parents.

Mr. and Mrs. W. H. Evans have gone on a visit to their former home at Cimarron.

Mr. and Mrs. C. C. McKee are the parents of an infant daughter.

Mr. L. W. Fulton of Carbondale was in the city yesterday. He acted as a juryman in a coroner's inquest just before leaving home. He gives the following account of the case: A man named Elmer Gardner and a young woman named Gladys Palmer claiming to reside in North Topeka, were going to the southern part of the state in a wagon. When near Carbondale they were joined by a young man named Will Smith. When a short distance beyond the town Smith in attempting to pull a gun from the wagon discharged it, and the entire load lodged in his chest, breast killing him instantly. The verdict was accidental shooting.

Mrs. Marietta Nelson of Seneca, Kas., is the guest of Mrs. G. H. Schenck.

Mrs. Heacock, mother of J. A. Heacock, arrived last night from her home at Frankfort.

Will Embree, one of the early inhabitants of North Topeka, is here on a visit from Chicago.

Mr. and Mrs. A. W. Parks will go to Colorado tomorrow for a three weeks' visit.

Miss Lida Cuthbert of Silver Lake is visiting Miss Ellen Little for a few days.

The Christian church building is going right on, under the superintendence of T. T. Harding. The roof is ready for the shingles, one-fourth of which are now on. The builders are soliciting help from any and all friends who can put on shingles and promise dinner and supper to all who assist them.

Mrs. E. A. Booth returned last night from Pond Creek, Ok., where she has been visiting relatives. She says the newspaper accounts of the troubles on Rock Island down there fall far short of the real facts, and that the destruction to property and the bitterness of feeling are much greater than has been told in the dispatches.

New wheat is coming into market. It is generally of excellent quality.

Monarch gasoline stoves at Henry's. Go to Henry's for roofing and spouting. A full length extension top saw for \$100, at Lukens Bros., North Topeka.

Call at Garner & Lane's cash grocery, 845 North Kansas avenue. They meet all competition.

"Our New Delight" and all Dangler stoves at H. M. Climes.

For bargains in shingles see E. P. Ewart, Gordon and Kansas avenue.

Go to Will Griffith's for the best tin, galvanized iron and pump work.

Wyandotte County's Taxes. County Clerk Charles Bruce of Wyandotte county was in Topeka today on business with the state board of equalization trying to get the assessment of his county cut down. The assessment of Wyandotte county as certified up to the state board amounts to \$11,311,614.21.

Under the present arrangement that county pays into the state treasury about \$40,000 in taxes, and Mr. Bruce wants to reduce that amount about \$5,000.

Colorado and Return \$15. Tickets on sale July 21, 22 and 23, via the Great Rock Island route.

Do Home and Powell. Will save you 15 per cent on undertaking goods and funeral supplies, etc. See them before you make other arrangements. 623 Quincy st.

Ice cream soda, all flavors, at Staatsfeld's, 633 Kan. ave.

Prescott & Co. will remove to No. 11 West Eighth this month.

Webb & Harris, druggists, Bennett's Flats

THE GREEN CORN DANCE.

It Is In Progress at the Pottawatomie Reservation North of Topeka.

The Pottawatomie Indians are at present having their annual "green corn dance" on their reservation, about twenty miles north of town. A great many white people from the surrounding towns are present daily, and it is probable that several Topeka people who have never enjoyed the sensation of seeing an Indian in his native haunts participating in the sports that have broken the monotony of camp life and the war trail for his ancestral line for centuries past perhaps will go out on Sunday to enjoy it now.

The green corn dance is a celebration to the Indian deity on the arrival of the green corn, as the name suggests. The dance lasts day and night, for sometimes as long as eight days, though of late years the limit has been shortened as civilization approached. It will probably soon die out altogether.

Of course the braves—they alone do the dancing—do not dance all this time without rest. The dance simply keeps up that long, different braves dancing while others rest. The exercises are conducted in a ring not unlike the circus ring. The participants are dressed in all the grotesque costumes of the race, with feathers, beads and furs. The braves are seated around the edge of the ring with faces to the center. The music, which consists of several Indians beating on one skin drum, in the middle of the ring, you could not distinguish, but there must be some tune about the noise, for the players always strike together without a break.

The dance—which consists of contortions of the body that only an Indian is capable of, and hideous imitations of the cries of wild animals—lasts continuously for about half an hour, and then the music stops, while one of the braves in the ring makes a speech, always in the Indian tongue.

The "squares" part of the programme lies in taking care of the bodies and cooking a green colored liquid from the corn, which is brought into the ring in tin buckets steaming hot, and from which the dancers take refreshment.

The dance is interesting to the spectator, and often the ring is surrounded with thousands of white people who have been attracted miles to see it.

IN RAILROAD CIRCLES.

Gossip Among the Railroad Men of Topeka and Along the Lines.

The Santa Fe has taken thirty men from Salina to Colorado to track work. If newspaper reports are to be believed business is rapidly picking up on all the railroads in Kansas.

H. A. Albers of Lincoln, Neb., visited the Santa Fe land department yesterday. The U. S. Pacific will run another one of its excursions to Kansas City one week from next Sunday from Hialeahville.

J. R. Burton and C. A. Swenson's Swedish colonization society has located over 200 Swedish farmers at Las Animas.

C. B. Jewell, the Rock Island rainmaker, has been in Chicago acting as a deputy marshal, but has returned. He expects to fit out twelve rainmaking cars for the Pacific next year.

Pittsburg is very happy. The work of laying the foundation for the Kansas City, Pittsburg & Gulf shops and round house at Pittsburg, Kan., was begun yesterday morning. The plans and specifications call for \$65,000 worth of buildings to be completed before the end of the year.

Rock Island trains Nos. 13 and 14, between Kansas City and Chicago, abandoned during the strike, will probably not be restored to service until there is an increase in business.

"Where were you working from June 1st to August 1st, 1894?" and if not working "Why not?" are two important questions that will be asked in every railroad office in the country for years to come.

Most of the good seats at the eating houses along the line are issued to the train men along the line of the Santa Fe in Colorado. The tickets are for twenty meals and sell for \$5.

Hot After Arthur.

Locomotive Brotherhood Men Accuse Their Chief of Shading.

TOLEDO, July 20.—A condition of affairs has developed among the brotherhood engineers on the Wabash system which may cause trouble in that order.

The Wabash resumed traffic after the strike, some 700 engineers of whom 400 are largely brotherhood men, and the other 300 firemen, have never been called upon to report for duty, while their engines are run by new men.

Neither have they been notified of dismissal. They are simply hanging up. The brotherhood engineers assume that they are not wanted. They say that the new men who have taken their places are partly brotherhood men, and that for the latter to displace them is contrary to the laws of the organization. They propose to make things lively in the order for some one, probably Arthur.

TROOPS FIRED ON

Who Are Protecting Colored Miners Near Birmingham, Ala.

BIRMINGHAM, Ala., July 20.—Much excitement prevailed last night at Pratt mines, where troops are guarding negro scabs. Unknown men approached the slopes where soldiers were stationed and fired upon them.

Two men, striking miners, were arrested. The sentinels took the camp in the city where the first regiment is located, were assaulted with stones. W. B. Stolewerck of Evergreen, was severely wounded. Several suspects have been arrested.

Strong City White Caps Held.

STRONG CITY, Kan., July 20.—The preliminary trial of the alleged Bleiman white caps, which has been in progress for the last three days before Justice Newton and McDaid, ended last night by the prisoners being bound over to appear before the district court on the charge of assault and battery with intent to kill.

A Row Among Elks.

CLEVELAND, Ohio, July 20.—An action was filed in the United States circuit court in this city today by George A. Reynolds of Michigan, the newly elected grand secretary of the order of Elks, against Clate Smith of Youngstown, Ohio, the retiring secretary of the society. It is said that Smith refused to give up books, records, papers and emblems of the order now in his possession, and the court is asked to compel him to do so.

Do Home & Powell. Undertakers and embalmers, 523 Quincy street.

THE FURY OF THE SUN.

UNTEMPERED BY COOLING CLOUDS AND BREEZES, IT IS TERRIBLE.

A Trail of Prostration, Insanity and Death Left in the Luminary's Track on Each Day of Excessive Heat—Sultry Weather Has Also Its Humorous Side.

It was midnight at Washington, 1 o'clock at Boston, 11 o'clock at Chicago. In hundreds of morning newspaper offices thousands of editors, reporters, copy readers, proofreaders and compositors sweated and toiled and grumbled. Some of them swore. For it was a hot night from the Atlantic to the Pacific.

"Mr. Slashtit," said a certain night editor to the telegraph editor as the latter unrolled a huge bundle of telegrams written on thin "manifold paper," "has 'indications' come in yet?"

One who fell was a slender, handsome youth who was on his way to the deathbed of his mother. Another was a "well groomed" man of the world who was to be that day married to a sweet girl who never knew how much she ought to thank the sun for his work her whole life through. Still another had fallen heir to a fortune and was about to enter into possession thereof. Yet another sat in a locomotive cab over whirling, speeding drivers and held the fate of hundreds of passengers by "the limited" in the hand that grasped the lever till the sun forced it to relax its hold.

Perhaps the saddest case of all on that day of death was the termination of the life of a gentle, kindly soul whose energies had long been devoted to alleviating the miseries of others. If he had chosen, he might have fled to the sands or the heights, for he was not lacking for money, as were so many of those whom he visited from day to day.

But he thought not of himself. From dawn till midday he threaded his way down the narrow, odorless, heated alleys of a great city, climbed the narrow, rickety stairways that led to the homes of the poor and the suffering, and each squallid abode visited was somewhat the better because he had been there. In one place he left fruits and delicacies, in the next money and in some only kind words, but everywhere he was welcomed and his return longed for. It had never occurred to him that he ran personal risks in doing what he conceived to be his duty, though it often had to his friends, who tried in vain to control him. It is doubtful if he would have swerved from his course if he had known the certain result, though he might have taken more precautions and so avoided the worst; but, ever careful of the safety and comfort of others, he was heedless of his own. It was a little after noon that a strange pallor spread over his fine features and a strange

human ranks. Beautiful carriage horses, with arching necks, overdriven by careless, heartless drivers, fell in their tracks, and so did patient, toiling truck horses. Triumphant Sol that day spared neither man nor beast who ventured to brave his fury without taking the proper precautions. A messenger boy and the opulent president of a trust to whom the lad was carrying a telegram yielded at almost the same moment; bare armed women bending over washboards and suds and favorites of fashion attired in thin white garments, laborers lugging hods up ladders, and, stripped to the waist, undergoing industrial agonies in refineries and iron mills, were among those who fell. There were more victims among the poor than the rich, for the poor, in the nature of things, were not so often provided with the buckler of health and strength for defense and were forced to remain at work in spite of the danger.

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Perhaps the saddest case of all on that day of death was the termination of the life of a gentle, kindly soul whose energies had long been devoted to alleviating the miseries of others. If he had chosen, he might have fled to the sands or the heights, for he was not lacking for money, as were so many of those whom he visited from day to day.

But he thought not of himself. From dawn till midday he threaded his way down the narrow, odorless, heated alleys of a great city, climbed the narrow, rickety stairways that led to the homes of the poor and the suffering, and each squallid abode visited was somewhat the better because he had been there. In one place he left fruits and delicacies, in the next money and in some only kind words, but everywhere he was welcomed and his return longed for. It had never occurred to him that he ran personal risks in doing what he conceived to be his duty, though it often had to his friends, who tried in vain to control him. It is doubtful if he would have swerved from his course if he had known the certain result, though he might have taken more precautions and so avoided the worst; but, ever careful of the safety and comfort of others, he was heedless of his own. It was a little after noon that a strange pallor spread over his fine features and a strange

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